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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,178	12/27/2000	Takuya Uchiyama	1614.1108	2991

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EXAMINER

AWAD, AMR A

ART UNIT

PAPER NUMBER

2675

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,178

Applicant(s)

UCHIYAMA, TAKUYA

Examiner

Amr Awad

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 27 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 1, recites "a coordinate value input last before input means is detached from the surface of said input unit as the previous coordinate value to a coordinate value input first after the input means is detached from the surface of said input unit". Such recitation is not clear to the examiner because as best understood by the examiner, it simply teaches that the coordinate value (location) of the input means (for example, stylus or finger of the user) before detached from the surface is the same as the coordinate value (location) right after the input means (stylus or finger) is detached from the surface. Such limitation is inherent in any input device; for example, when the mouse moves to move the pointer on the screen, the location of the cursor immediately before the mouse stops moving (i.e., detached) is the same as when the

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mouse is released. Similar founding can be seen in a digitizer tablet. The examiner respectfully requests a clarification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama et al. (US patent NO. 5,406,307; hereinafter referred to as Hirayama).

As to independent claim 1, Hirayama (figures 3B, 4A and 4B) teaches a coordinate detection device that includes, an input unit (input tablet 2) which has a surface thereof to which a coordinate value is input by an input means (pen 3) (col. 3, lines 7-23). Hirayama teaches a calculation unit which calculates a difference between previous and current coordinate values input by the input unit (the difference between the previous and current coordinate values are the difference between the initial position of the pen 3 and the final location (designated by the position of the cursor 42) (col. 4, line 65 through col. 5 line 12). Hirayama teaches setting a coordinate value input last before the input means is detached from the surface of the input unit as the previous coordinate value to a coordinate value input first after the input means is detached from the surface of the input unit (this is carried out by having the position of the pen (3)

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before detached is the same after detaches which allows the enlarging of the window) (col. 6, lines 3-21).

Hirayama does not expressly teach that the coordinate values before and after the input means (3) is detached.

However, it is known to a person of ordinary skill in the art that the location of the stylus in each movement of the pen 93) is stored in the memory (col. 4, lines 19-23).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to realize that the coordinates of the input means is always stored in the memory so as to be able to update the location of the pen and that can't be accomplished without storing it in a memory.

As to claim 2, the flowchart of figure 4A of Hirayama's device, the step S7 where the device checks whether the user holds up the point of pen 3, and based on the condition, the device changes the mode either moving the enlarged icon (step S8) or step S9 whereat the icon is activated (col. 6, lines 3-21) which fairly reads on the changing of the operation mode.

As to claim 3, Hirayama teaches that the determination of the operation mode of the input unit is based on a contact area formed by a contact of the input means with the surface of the input unit (col. 6, lines 3-21).

As to claims 5-7, method claims 5-7 are substantially similar to apparatus claims 1-3 and would be analyzed as previously discussed with respect to claims 1-3.

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6. Claims 4 and 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama as applied to claims 1 and 5 above, and further in view of Furuata et al. (US patent NO. 5,943,043; hereinafter referred to as Furuata).

Note the discussion of Hirayama above. As can be seen Hirayama teaches all the limitations of claims 4 and 8 except the citation of determining the operation mode of the input unit based on a time during which the input means is detached from the surface of the input unit.

However, Furuata (figure 4) teaches a touch panel device wherein the action taking in the device is based on the time (col. 5, line 45 to col. 6, line 6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to make the changing mode of the device based on the time, to be included in the Hirayama's device so as to provide an accurate output based on the user's determination.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Geaghan et al. (US patent NO. 5,790,114) teaches an electronic whiteboard with multi-functional user interface.

Ogo (US Patent NO. 6,069,618) teaches data processing device and method for processing data.

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Amro et al. (US patent NO. 6,278,443) teaches touch screen with random finger placement and rolling screen to control the movement of information on-screen.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amr Awad whose telephone number is (703)308-8485. The examiner can normally be reached on Monday-Friday, between 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Saras can be reached on (703)305-9720. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9314 for regular communications and (703)872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4750.

A handwritten signature in black ink, appearing to read "Amr Awad", with a stylized flourish at the end.

A.A
June 1, 2003